

FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10

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(REV 10-96)

U. S. Department of Commerce Patent and Trademark Office

ATTORNEY'S DOCKET NUMBER

DC/4-32002A

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/500,200

INTERNATIONAL APPLICATION NO.

PCT/EP03/00154

INTERNATIONAL FILING DATE

9 January 2003 (09.01.03)

PRIORITY DATE CLAIMED

9 January 2002 (09.01.02)

TITLE OF INVENTION

COMBINATION TREATMENTS FOR ALLERGIC DISEASE COMPRISING ADMINISTERING AN ANTI-IGE ANTIBODY  
AND ANTIALLERGIC COMPOUND

APPLICANT(S) FOR DO/EO/US

OWEN ET AL.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An executed Declaration and Power of Attorney (original or copy) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included.

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.  
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☐ Other items or information:

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)  
10/500,200

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17. ☒ The following fees are submitted:

**BASIC NATIONAL FEE (37 CFR 1.492(a) (1)-(5)):**

Search Report has been prepared by the EPO or JPO ..... \$950

International preliminary examination fee paid to USPTO (37 CFR 1.482)  
..... \$750

No international preliminary examination fee paid to USPTO (37 CFR 1.482)  
but international search fee paid to USPTO (37 CFR 1.445(a)(2)). ..... \$790

Neither international preliminary examination fee (37 CFR 1.482) nor  
international search fee (37 CFR 1.445(a)(2)) paid to USPTO. .... \$1,110

International preliminary examination fee paid to USPTO (37 CFR 1.482)  
and all claims satisfied provisions of PCT Article 33(2)-(4). .... \$100

**CALCULATIONS PTO USE ONLY**

**ENTER APPROPRIATE BASIC FEE AMOUNT =**

\$  
\$ 130

Surcharge of \$130 for furnishing the oath of declaration later than ☐ 20 ☒ 30  
months from the earliest claimed priority date (37 CFR 1.492(e)).

| CLAIMS                                      | NUMBER FILED | NUMBER EXTRA | RATE     |
|---|--------------|--------------|----------|
| Total claims                                | 0            | - 20 =       | X \$ 18  |
| Independent claims                          | 0            | - 3 =        | X \$ 88  |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) |              |              | + \$ 300 |

\$  
\$  
\$  
\$  
\$ 130

**TOTAL OF ABOVE CALCULATIONS =**

Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be  
filed (Note 37 CFR 1.9, 1.27, 1.28).

\$  
\$  
\$ 130

**SUBTOTAL =**

Processing fee of \$130 for furnishing the English translation later than ☐ 20 ☐ 30 months from  
the earliest claimed priority date (37 CFR 1.492(f)).

\$  
\$  
\$ 130

**TOTAL NATIONAL FEE =**

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied  
by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property

\$  
\$  
\$ 130

**TOTAL FEES ENCLOSED =**

10 15/2004 LLANDGRA 00000041 190134 10500200

01 FC:1617 130.00 DA


Amount to be: \$  
refunded  
charged \$

- a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.
- b. ☒ Please charge Deposit Account No. 19-0134 in the name of Novartis in the amount of \$130 to cover the above  
fees. Two duplicate copies of this form are enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to  
Deposit Account No. 19-0134 in the name of Novartis.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or  
(b)) must be filed and granted to restore the application to pending status.**

Send all correspondence to the address associated with  
Customer No. 001095, which is currently:

Novartis  
Corporate Intellectual Property  
One Health Plaza, Building 430  
East Hanover, NJ 07936-1080

  
Gregory C. Houghton  
Attorney for Applicants  
Reg. No. 47,666  
(862) 778-2614



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.

10/500,200

FIRST NAMED APPLICANT

Owen et al

ATTY. DOCKET NO.

DC/4-32002A

INTERNATIONAL APPLICATION NO.

PCT/EP03/00154

I.A. FILING DATE

01/09/2003

PRIORITY DATE

01/09/2002

001095

NOVARTIS

CORPORATE INTELLECTUAL PROPERTY

ONE HEALTH PLAZA 430/2

EAST HANOVER, NJ 07936-1080

CONFIRMATION NO. 9196

371 FORMALITIES LETTER



\*OC000000013855553\*

Date Mailed: 09/22/2004

GCH

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/28/2004
- Copy of the International Search Report filed on 06/28/2004
- Preliminary Amendments filed on 06/28/2004
- U.S. Basic National Fees filed on 06/28/2004
- Priority Documents filed on 06/28/2004
- Power of Attorney filed on 06/28/2004



The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

DOCKETED FOR: Nov. 22, 2004

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHELBY J VIGIL

Telephone: (703) 305-3653

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/500,200                  | PCT/EP03/00154                | DC/4-32002A      |